In early August, 2017, AAPCO President Tony Cofer requested Tim Creger, Nebraska Department of Agriculture, to assemble an ad-hoc work group to discuss the proposed EPA Rule for the national pesticide applicator certification and training program. The new Administration at EPA had delayed the original implementation date of the C&T Rule, had announced that their decision on final implementation of the rule was imminent, and President Cofer wanted to gauge the desire of AAPCO members to see if additional written comments were warranted before EPA made their final decision.

On August 17 and September 14 Tim Creger convened a small group of 10 state representatives, who were selected to represent the 10 EPA regions. The first meeting identified specific concerns the members felt were being discussed by their regional state certification programs, while the second meeting was held to discuss the need for AAPCO to submit additional written comments to EPA Administrators before the agency announced their plans for full implementation of the rule.

The primary concerns expressed by states were for the minimum age criteria and the mandated categories for private applicators. There continue to be strong feelings in some states regarding the significant amount of work the proposed rule would require by states, especially those states with certification programs that were either considered deficient compared to the proposed rule, and those that have mature programs that would be required to revise large portions in order to meet EPA’s perception of applicator competency. The work group presented those concerns to President Cofer after the September 14 conference call, with no recommendation for further action, but expressing support for any additional comments he wished to submit, and thanks for the opportunity to assist the association in working toward the most uniform and applicable rule possible.

It should be noted that the C&T Ad Hoc Work Group was decommissioned after the September 14 call. In early December, EPA announced that the proposed C&T Rule will be implemented as originally intended, with an implementation date of January 4, 2017. EPA also announced on December 19, 2017 that they would reopen a public docket specifically to reconsider the minimum age sometime in FY2018. To date this Federal Register docket has not been opened. It is also important for the work group to report to the general membership that the original proposed rule implementation sets March 4, 2020 as the end date for submission of revised state certification plans to their respective regional EPA office.

Respectfully submitted,

Tim Creger, Nebraska Department of Agriculture